1 2 3 4 5 6 7	KAMALA D. HARRIS Attorney General of California JANICE K. LACHMAN Supervising Deputy Attorney General JEFFREY M. PHILLIPS Deputy Attorney General State Bar No. 154990 1300 I Street, Suite 125 P.O. Box 944255 Sacramento, CA 94244-2550 Telephone: (916) 324-6292 Facsimile: (916) 327-8643 Attorneys for Complainant	
8	BEFORE THE	
9	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS	
10	STATE OF CALIFORNIA	
11	In the Matter of the Accusation Against:	Case No. 2013-742
12	CARRIE SIMONE GARLAND, aka	ACCUSATION
13	CARRIE SIMONE DOERING 2640 Portage Bay E., #10 Davis, CA 95616	
14	Registered Nurse License No. 729447	
15	Public Health Nurse Certificate No. 76288	
16	Respondent.	
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18	Louise R. Bailey, M.Ed., RN ("Complainant") alleges:	
19	<u>PARTIES</u>	
20	1. Complainant brings this Accusation solely in her official capacity as the Executive	
21	Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.	
22	2. On or about June 30, 2008, the Board issued Registered Nurse License Number	
23	729447 to Carrie Simone Garland, also known as Carrie Simone Doering ("Respondent"). The	
24	license was in full force and effect at all times relevant to the charges brought herein and will	
25	expire on September 30, 2013, unless renewed.	
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3. On or about October 8, 2009, the Board issued Public Health Nurse Certificate
Number 76288 to Respondent. The certificate was in full force and effect at all times relevant to
the charges brought herein and will expire on September 30, 2013, unless renewed.

JURISDICTION

- 4. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811(b), the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY AND REGULATORY PROVISIONS

- 6. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
 - 7. Code section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions."
 - 8. California Code of Regulations, title 16, section 1443, states:

As used in Section 2761 of the code, "incompetence" means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5.

COST RECOVERY

9. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

BACKGROUND INFORMATION

Sacramento Valley Ambulance as part of a Critical Care Transport ("CCT") team, that included a paramedic and an Emergency Medical Technician, that was preparing to transport a 9-year old female patient who was suffering from seizures from Woodland Memorial Hospital ("WMH"), located in Woodland, California, to Sutter Memorial Hospital located in Sacramento, California. When Respondent arrived with the CCT team at Woodland Memorial Hospital, she began to obtain patient history information from the patient's parents, but failed to identify herself to the emergency department physicians or staff as the registered nurse or primary caregiver for this interagency transfer. Respondent failed to obtain appropriate and adequate patient information from the emergency department physicians or staff in order to safely assume the care of the patient. Instead, the paramedic on the CCT team stated that he was "in charge" and misrepresented that he was the primary caregiver, that led the emergency department physicians and staff to assume that the paramedic was a registered nurse and primary caregiver for this interagency transfer, when he, in fact, was not.

FIRST CAUSE FOR DISCIPLINE

(Incompetence)

11. Respondent is subject to discipline under Code section 2761(a)(1), on the grounds of unprofessional conduct, in that on or about October 18, 2009, while a registered nurse for Sacramento Valley Ambulance and part of a Critical Care Transport team, Respondent was incompetent in that she failed to communicate effectively to the emergency room staff that she was the registered nurse or primary caregiver and failed to obtain appropriate and adequate patient information to safely assume the care of the patient.

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SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

12. Respondent is subject to discipline under Code section 2761(a), on the grounds of unprofessional conduct, in that on or about October 18, 2009, while a registered nurse for Sacramento Valley Ambulance and part of a Critical Care Transport team, Respondent demonstrated unprofessional conduct, as more particularly set forth above in paragraph 10.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 729447, issued to Carrie Simone Garland, also known as Carrie Simone Doering;
- 2. Revoking or suspending Public Health Nurse Certificate Number 76288, issued to Carrie Simone Garland, also known as Carrie Simone Doering;
- 3. Ordering Carrie Simone Garland, also known as Carrie Simone Doering, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
 - 4. Taking such other and further action as deemed necessary and proper.

DATED: March 13, 2013

LOUISE R. BAILEY, M.ED., RN

Executive Officer

Board of Registered Nursing
Department of Consumer Affairs

State of California

Complainant

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